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HOUSE JOINT RESOLUTION 5

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Mimi Stewart

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 9, SECTION 14 OF THE  
CONSTITUTION OF NEW MEXICO TO PERMIT THE STATE TO ESTABLISH  
LOAN PROGRAMS FOR STUDENTS ATTENDING TEACHER PREPARATION  
PROGRAMS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. It is proposed to amend Article 9, Section 14  
of the constitution of New Mexico to read:

"A. Neither the state nor any county, school  
district or municipality, except as otherwise provided in this  
constitution, shall directly or indirectly lend or pledge its  
credit or make any donation to or in aid of any person,  
association or public or private corporation or in aid of any  
private enterprise for the construction of any railroad except  
as provided in [~~Subsections A through F of~~] this section.

underscored material = new  
[bracketed material] = delete

1           ~~[A.]~~ B. Nothing in this section prohibits the state  
2 or any county or municipality from making provision for the  
3 care and maintenance of sick and indigent persons.

4           ~~[B.]~~ C. Nothing in this section prohibits the state  
5 from establishing a veterans' scholarship program for Vietnam  
6 conflict veterans who are post-secondary students at  
7 educational institutions under the exclusive control of the  
8 state by exempting such veterans from the payment of tuition.  
9 For the purposes of this subsection, a "Vietnam conflict  
10 veteran" is any person who has been honorably discharged from  
11 the armed forces of the United States, who was a resident of  
12 New Mexico at the original time of entry into the armed forces  
13 from New Mexico or who has lived in New Mexico for ten years or  
14 more and who has been awarded a Vietnam campaign medal for  
15 service in the armed forces of this country in Vietnam during  
16 the period from August 5, 1964 to the official termination date  
17 of the Vietnam conflict as designated by executive order of the  
18 president of the United States.

19           ~~[C.]~~ D. The state may establish by law a program of  
20 loans to students of the healing arts, as defined by law, for  
21 residents of the state who, in return for the payment of  
22 educational expenses, contract with the state to practice their  
23 profession for a period of years after graduation within areas  
24 of the state designated by law.

25           E. The state may establish by law a program of

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1 loans to students enrolled in undergraduate or graduate teacher  
2 preparation programs at regionally accredited post-secondary  
3 educational institutions in New Mexico who, in return for  
4 payment of educational expenses, contract with the state to  
5 work as teachers for a period of years after graduation within  
6 areas of the state designated by law.

7 [D.] F. Nothing in this section prohibits the state  
8 or a county or municipality from creating new job opportunities  
9 by providing land, buildings or infrastructure for facilities  
10 to support new or expanding businesses if this assistance is  
11 granted pursuant to general implementing legislation that is  
12 approved by a majority vote of those elected to each house of  
13 the legislature. The implementing legislation shall include  
14 adequate safeguards to protect public money or other resources  
15 used for the purposes authorized in this subsection. The  
16 implementing legislation shall further provide that:

17 (1) each specific county or municipal project  
18 providing assistance pursuant to this subsection need not be  
19 approved by the legislature but shall be approved by the county  
20 or municipality pursuant to procedures provided in the  
21 implementing legislation; and

22 (2) each specific state project providing  
23 assistance pursuant to this subsection shall be approved by  
24 law.

25 [E.] G. Nothing in this section prohibits the

underscored material = new  
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1 state, a county or a municipality from:

2 (1) donating land owned by the state, county  
3 or municipality for the construction on it of affordable  
4 housing;

5 (2) donating an existing building owned by the  
6 state, county or municipality for conversion or renovation into  
7 affordable housing; or

8 (3) providing or paying the costs of  
9 infrastructure necessary to support affordable housing  
10 projects.

11 ~~[F.]~~ H. The provisions of Subsection ~~[E]~~ G of this  
12 section are not self-executing. Before the described  
13 assistance may be provided, enabling legislation shall be  
14 enacted by a majority vote of the members elected to each house  
15 of the legislature. This enabling legislation shall:

16 (1) define "affordable housing";  
17 (2) establish eligibility criteria for the  
18 recipients of land, buildings and infrastructure;  
19 (3) contain provisions to ensure the  
20 successful completion of affordable housing projects supported  
21 by assistance authorized pursuant to Subsection ~~[E]~~ G of this  
22 section;

23 (4) require a county or municipality providing  
24 assistance pursuant to Subsection ~~[E]~~ G of this section to give  
25 prior formal approval by ordinance for a specific affordable

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1 housing assistance grant and include in the ordinance the  
2 conditions of the grant; and

3 (5) require prior approval by law of a  
4 specific affordable housing assistance grant by the state. "

5 Section 2. The amendment proposed by this resolution  
6 shall be submitted to the people for their approval or  
7 rejection at the next general election or at any special  
8 election prior to that date that may be called for that  
9 purpose.

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